



#4  
105

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application of Ben Zehavi Docket No. 77  
 (inventor(s))  
 for Light Sensitive Signaling Device  
 (title of invention)

Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT

(first page for use when accompanying new application)

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement; discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ Identification of Time of Filing  
 (There is no Section 3)
4. ☒ Statements with Respect to Listing of Information
5. ☐ Statements with Respect to Translations of Non-English Information
6. ☒ Statements with Respect to Copies of Listed Information Items Accompanying This Statement
7. ☐ Statement of Non-Possession of Documents
8. ☒ Concise Explanation of Listed Information Items

This statement concludes with section 9, PTO-1449 and section 10, Identification of Person(s) Making This Information Disclosure Statement.

## CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Information Disclosure Statement accompanying New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date NOV. 6, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EF398596945US addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Date: Nov. 6, 2001  
Charles R. Sutton  
 (Type or print name of person mailing paper)  
Charles R. Sutton  
 (Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b).

## 1. Preliminary statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56 it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(b) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

**NOTE:** *THE FOLLOWING REQUIREMENTS MUST BE MET TO ASSURE THAT ALL ITEMS LISTED ON THE INFORMATION STATEMENT ARE CONSIDERED: If the Information Disclosure Statement is submitted before the claims have been indicated as allowable and includes (1) a listing of patents, publications or other information, (2) a concise explanation of the relevance of each listed item and (3) a copy of each listed item or the relevant portion of the listed patents, publications or other information (along with a translation of pertinent portions of foreign language items, if available) then it must be considered by the Examiner. The Examiner may consider a citation for any reason, whether or not the citation is in full conformance with this procedure. MPEP § 609.*

(Information Disclosure Statement—Section 1 Preliminary Statements [6-1]—page  $\frac{2}{8}$  of  $\frac{2}{8}$ )

**2. Identification Of Time Of Filing****This Information Disclosure Statement**

(check and complete (a), (b), (c), (d) or (e))

- (a) ☒ accompanies the new patent application submitted herewith. 37 CFR 1.97(a)

**NOTE:** If this item is checked then use *FRONT PAGE* with Express Mail Certificate of Mailing corresponding to type of mailing for a new case.

- (b) ☐ is filed within three months after the filing date of the application or two months after receiving the filing receipt, whichever is later. 37 CFR 1.97(a)

**NOTE:** Applicants are "encouraged" to file within this time period if the statement is not filed with the application. 37 CFR 1.97(a).

- (c) ☐ this Information Disclosure Statement is being submitted as the information was brought to attention.

- (d) ☐ is being submitted after notice of allowance and a Request For Consideration Of Information Disclosure Statement Submitted After Allowance (Section 3) is included.

**NOTE:** Any amendment after the mailing of the notice of allowance may not be made as a matter of right and must be accompanied by a petition fee if made after the issue fee is paid. 37 CFR 1.312.

- (e) ☐ is a supplemental Information Disclosure Statement under 37 CFR 1.99

☐ a previous Information Disclosure Statement was filed on \_\_\_\_\_

**NOTE:** Updating of the Information Disclosure Statement should be submitted to the PTO with reasonable promptness and shall be accompanied by explanations of relevance and by copies of art in accordance with the requirements of the Information Disclosure Statement itself. 37 CFR 1.99. The transmittal should include a statement explaining why the information was not earlier transmitted (and this can be done in the space below). If the transmittal is after allowance it shall include such an explanation (this is provided for in Request for Consideration of Information Disclosure Statement Submitted After Allowance). MPEP § 609.

☐ this supplemental Information Disclosure Statement is being submitted as the information was brought to attention

- (f) ☐ The art was encountered in the course of the prosecution of the corresponding foreign application(s) in \_\_\_\_\_

(name(s) of country(ies) and serial number(s))

#### 4. Statements With Respect To Listing Of Information

A list of the patent(s) and/or publication(s) is set forth on the attached  
one page(s) of Form PTO-1449 (Modified).

**NOTE:** In completing PTO-1449 (Modified) it should be kept in mind that 37 CFR 1.98(a) requires that "All United States patents listed should be identified by their patent numbers, patent dates and names of the patentees. Each foreign published application or patent should be cited by identifying the country or office which issued it, the document number and publication date indicated on the document. Each printed publication should be identified by author (if any), title of the publication, pages, date and place of publication." The Notice of December 23, 1982 (1027 TMOG 7-62) points out: "The final rule states clearly that the publication date indicated on the document should be submitted. This will not serve to preclude a showing of a different, actual publication date. Another purpose of the citation requirement in this section is to permit ready reference to the document from its citation."

**NOTE:** "The reference designations "AA", "AB", etc. (referring to Applicants' reference A, Applicants' reference B, etc.) will be used by the Examiner in the same manner as the Examiner's reference designations "A", "B", "C", etc. on Office Action Form PTO-1142." Notice of August 15, 1980 (998 O.G. 5).

**NOTE:** REPRESENTATIVE ITEMS: "When two or more patents or publications considered material are substantially identical, a copy of the representative one may be included in the statement and others merely listed." 37 CFR 1.98(b).

(complete (a) or (b) if applicable)

(a) ☐ \_\_\_\_\_ is believed to be representative of the following patents or publications:

(b) ☐ \_\_\_\_\_ in the English language is believed to be the equivalent of the following non-English patents or publications:

(Information Disclosure Statement—Section 4 Statements With Respect To Listing Of  
Information [6-1]—page 4 of 8)

**6. Statements With Respect To Copies of Listed Information Items Accompanying This Statement**

**NOTE:** 37 CFR 1.96(a) requires that the information Disclosure Statement shall be accompanied by a copy of each listed patent or publication or other item of information in written form or of at least the portions thereof considered by the person filing the disclosure statement to be pertinent.

37 CFR 1.56(b) states: "Disclosures . . . must be accompanied by a copy of each foreign patent document, non-patent publication, or other non-patent item of information in written form which is being disclosed or by a statement that the copy is not in the possession of the person making the disclosure. . . ."

"The portion of a document required to be submitted under § 1.56(b) is the portion which is material to the examination of the application under § 1.56(a)." Notice of November 30, 1983, 49 FR 5-48, January 4, 1984.

There is no assurance that art or other information not submitted with copies of listed items in accordance with the guidelines will be considered by the Examiner. MPEP § 609.

A copy of



each



none



only those listed below

of the items on PTO-1449 (Modified) is supplied herewith:

(indicate if only a portion of a listed item is being supplied)

(Full patent copies provided)

**NOTE:** If each listed item is not supplied herewith, complete Section 7, Statement of Non-Possession of Documents, to ensure that Information Disclosure is considered and/or to avoid an Office action.

(Information Disclosure Statement—Section 6 Statement With Respect To Copies Of Listed Information Items Accompanying This Statement [6-1]—page 5 of 8)

## 8. Concise Explanation of Listed Information Items

**NOTE:** 37 CFR 1.98(a) requires that the Information Disclosure Statement shall include a "concise explanation" of the relevance of each listed item.

*This "concise explanation" may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention. It might be a simple statement pointing to similarities between the listed item and the claimed invention. It is permissible but not necessary to discuss differences between the listed item and the claims. It is thought that the explanation of relevance will be useful to the examiner and should not be significantly burdensome for the applicant to prepare. A statement to the effect that an item is listed because it was cited during the prosecution of a counterpart foreign application and is not considered material to the examination of the U.S. application, is to be considered as satisfying the concise explanation requirement of 37 CFR 1.98(a). MPEP § 609.*

*There is no assurance that art or other information not submitted with a concise explanation of listed items in accordance with the guidelines will be considered by the Examiner. MPEP § 609.*

A concise explanation of the items listed on PTO-1449 (Modified) is:

- ☐ not given
- ☐ given for only some listed item(s)
- ☒ given for each listed item

PTO-1449 (Modified)

CONCISE EXPLANATION

REFERENCE DESIGNATION

AA This is the patent by Hsiu for a fully automatic, photo-sensor-controlled time switch device. Various electric appliance can be controlled by the device, apparently by placing the device between the wall socket and the appliance. The device does not signal.

AB This is the patent by Lai for a device which senses when it is night and senses the approach of car headlights to the house. When these two conditions are met, the device turns on lights and rings a doorbell. It has a timer circuit that introduces some delay into the system prior to activating the lights and doorbell.

Information Disclosure Statement—Section 8 Concise Explanation of Listed Items  
[6-1]—page 6 of 8)

**10. Identification Of Person(s) Making This INFORMATION DISCLOSURE STATEMENT**

**NOTE:** 37 CFR 1.56(b) states: "Disclosures. . . may be made to the Office through an attorney or agent having responsibility for the preparation or prosecution of the application or through an inventor who is acting in his or her own behalf."

The person making this statement is

(check each applicable item (a) and (b))

(a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
**SIGNATURE OF INVENTOR**

\_\_\_\_\_  
Type name of inventor who is signing

(b) ☒ the attorney who signs below on the basis of:

(check each applicable item)

- ☐ the information supplied by the inventor(s)  
☐ which has been reviewed by the attorney  
☐ which has **not** been reviewed by the attorney  
☒ the information in the attorney's file

Reg. No.: 42,176

Tel. No. (818) 780-6616



\_\_\_\_\_  
**SIGNATURE OF ATTORNEY**

Charles R. Sutton

Type or print name of attorney

14507 Sylvan St., Ste. 208

P.O. Address

Van Nuys, CA 91411

(Information Disclosure Statement—Section 10 Identification Of Persons(s) Making This  
Information Disclosure Statement [6-1]—page 8 of 8)